IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

OP.No. 25278 of 2000(H)

PETITIONERS:
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1. **C. SIVADASAN, ACCOUNTANT,**
   THE KANDALLOOR FARMERS' SERVICE CO-OPERATIVE BANK LIMITED NO. 1410, KANDALLOOR.P.O., ALAPPUZHA DISTRICT.

2. **K. KAMALAMMA, CHIEF ACCOUNTANT,**
   DO. DO.

3. **V. NEELAMBARAN, ACCOUNTANT,**
   DO. DO.

4. **B. LEELAVATHY, ACCOUNTANT,**
   DO. DO.

5. **B. VASANTHY, ACCOUNTANT,**
   DO. DO.

6. **T.O. USHA, SENIOR CLERK,**
   DO. DO.

7. **B. CHANDRASENAN, SENIOR CLERK,**
   DO. DO.

8. **S. VISALAMMA, SENIOR CLERK,**
   DO. DO.

9. **B. AMBIKA, SENIOR CLERK,**
   DO. DO.

10. **C. RETHIAMMA, JUNIOR CLERK,**
    DO. DO.

11. **V. SUDHA, JUNIOR CLERK,**
    DO. DO.

12. **B. KRISHNAKUMARI, JUNIOR CLERK,**
    DO. DO.

O.P. NO. 25278/2000:

13. M.J. SREEPAL, AGRICULTURAL DEMONSTRATOR,
DO. DO.

14. M. SUDHAKARAN, FIELDMAN,
DO. DO.

15. K. SOMAN, ATTENDER,
DO. DO.

16. G. UTHAMAN, PEON/ATTENDER,
DO. DO.

17. V. RAJENDRAN, PEON,
DO. DO.

BY ADV. SRI. V.G. ARUN,
SRI. T.R. HARIKUMAR.

RESPONDENTS:
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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES,
ALAPPUZHA.

2. THE KANDALLOOR FARMERS' SERVICE CO-OPERATIVE
BANK LIMITED NO. 1410, KANDALLOOR.P.O.,
ALAPPUZHA, REPRESENTED BY ITS MANAGING DIRECTOR.

3. THE PRESIDENT, THE KANDALLOOR FARMERS'
CO-OPERATIVE BANK LIMITED NO. 1410, KANDALLOOR.P.O.,
KARTHIKAPPALLY, ALAPPUZHA.

BY GOVERNMENT PLEADER SRI. MOHAMMED PUZHAKKARA,
ADV. SRI.K.HARILAL.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 23/11/2007,THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

ORDER ON C.M.P. NO. 42678/2000 IN O.P. NO. 25278/2000

DISMISSED

23/11/2007. **SD/- KURIAN JOSEPH, JUDGE.**

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE RESOLUTION DTD. 09/09/1997 OF THE R.2. BANK.

EXT.P.2: COPY OF THE INCOME AND EXPENDITURE ACCOUNT FOR THE YEAR 1996-97 OF THE R.2. BANK.

EXT.P.3: COPY OF THE GENERAL BODY RESOLUTION AND THE COVERING LETTER FORWARDING THE SAME DTD. 04/02/2000.

EXT.P.4: COPY OF THE RELEVANT PAGE OF THE AUDIT REPORT FOR THE YEAR 1996-97 OF THE R.2. BANK.

EXT.P.5: COPY OF THE RESOLUTION DTD. 13/06/2000 OF THE BOARD OF DIRECTORS OF THE R.2. BANK.

EXT.P.6: COPY OF THE REPRESENTATION DTD. 27/07/2000 OF THE PETITIONERS FILED BEFORE THE COMMITTEE OF THE BANK.

EXT.P.7: COPY OF THE RESOLUTION DTD. 10/08/2000 OF THE R.2. BANK.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

O.P. NO. 25278 OF 2000

Dated this the 23rd day of November, 2007.

J U D G M E N T

The issue raised in this original petition pertains to the steps taken by the second respondent-Bank to recover the bonus already paid to the employees.

2. Learned counsel for the Bank submits that the action of the Managing Committee was approved by the General Body of the second respondent. In that view of the matter, this original petition is disposed of in terms of the interim order.

KURIAN JOSEPH, JUDGE.

smp

KURIAN JOSEPH, J.

O.P. NO. 25278 OF 2000

J U D G M E N T

23.11.2007